

REMARKS

Applicant has attached a Form 1449 and an Information Disclosure Statement (IDS) disclosing two Swiss patents, CH 322341 and CH346170, the former of which was cited by Examiner in his Office Action of August 23, 2007. Applicant has also included in this IDS what is believed to be English language translations of the relevant portions of the two references cited therein.

In the Office Action of August 23, 2007, claims 1-2 and 6-9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Huguenin (CH 322341). Claims 3-5 and 10-20 were objected to as being dependent upon a rejected base claim. Furthermore, claim 9 was also objected to for being indefinite.

Applicant claims a mechanism for a watch movement that indicates the date. The device comprises:

- a 24-hour wheel driven by the movement at the rate of one revolution per day and pierced with a first cutout, which first cutout is the continuation, in the shape of an arc of a circle concentric with the 24-hour wheel, of a second cutout releasing a spring finger, the first cutout opening onto the end of the spring finger;

- a date driving wheel mounted to rotate freely on the 24-hour wheel, coaxial therewith, said wheel having a pin which fits into the cutout and a tooth which collaborates with the indicator to cause it to move on step by step each day at around midnight; and

- a spring balance collaborating with the pin.

These components are shaped, sized and arranged to perform the following cycle of operations:

- a few hours before midnight, the pin begins to act on the balance, then it its rest position, thereby arming its spring;

- at around midnight, the balance escapes from the pin and returns abruptly to its rest position, throwing forward the pin and the driving wheel whose tooth strikes the date indicator to cause it to move on by one step; and
- a few hours after midnight, the pin is once again caught by the first cutout in the 24-hour wheel and pushed until, a few hours before midnight, it comes back into contact with the balance.

Claim 1 has been amended to incorporate the features of claims 2 and 3. Claim 1 has also been amended to remove the word "fixed" and to replace the phrase "in direct contact" with the word "collaborating" to more closely track the language of the original specification of the PCT application. Claim 1 has also been amended to twice add the word "first" before "cutout" for clarity. Claims 2-3, 10-12, and 15-16 have been cancelled. Claims 4 and 5 have been amended to depend on currently amended claim 1 and not on cancelled claims 2 and 3. Claim 5 has also been amended to change "of" to "and" for clarity. All of the claims have been amended to conform to US practice.

1. Applicant requests reconsideration and withdrawal of the rejection of claims 1 and 6-9 under 35 USC § 102 for the following reasons:

Examiner stated in his reasons for the indication of allowable subject matter: "The prior art does not disclose or suggest the claimed 'the first cutout is the continuation of a second cutout releasing a spring finger, the first cutout opening onto the end of the spring finger' in combination with the remaining claim elements as set forth in claims 3 and 10." Currently amended claim 1, which now recites the features formerly recited in now-cancelled claims 2-3, incorporates the elements listed in the Examiner's statement of reasons for the indication of allowable subject matter. Claims 6-9 depend either directly or indirectly on claim 1, as amended.

In view of the foregoing, it is believed that the prior art, including Huguenin, does not disclose or make obvious the claimed invention. Applicant

therefore believes that the rejection of claims 1 and 6-9 under 35 USC § 102(b) has been overcome and respectfully requests withdrawal of the rejection. Early action to that end is earnestly solicited.

2. Application requests reconsideration and withdrawal of the objection to claim 9 for the following reasons:

Examiner objected to claim 9 as indefinite explaining: "Claim 9 requires that the lever makes an angle of about 135 degrees, but provides no indication as to what the lever must form the angle in relation to." Applicant respectfully disagrees. Claim 9 recites that "the elbow of the lever makes an angle of about 135°." (Emphasis added.) Accordingly, the angle referenced in claim 9 is the angle between the inner sides of the elbow.

Applicant therefore believes that the objection to claim 9 for indefiniteness is incorrect and respectfully requests withdrawal of the rejection. Early action to that end is earnestly solicited.

3. Applicant requests reconsideration and withdrawal of the objection to claims 4, 5, 13-14, and 17-20 for the following reasons:

Claims 4, 5, 13-14, and 17-20 depend directly or indirectly on currently amended claim 1. Currently amended claim 1, as explained above, incorporates the elements of now cancelled claims 2-3 and is thus allowable.

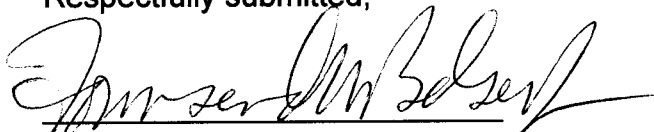
In view of the foregoing remarks, it is believed that all of the claims as now presented are allowable under 35 USC §§ 102, 103 and 112. Accordingly, reconsideration of the application and allowance of these claims are respectfully requested. If for any reason the application is not in condition for further examination and allowance, the undersigned would appreciate a call to the telephone number given below, or an e-mail to the address given below.

DEPOSIT ACCOUNT AUTHORIZATION

It is not believed that an extension of time or any fees, other than those presented herewith, are required. However, in the event that extensions of time are necessary, then such extensions of time are hereby petitioned under 37 CFR 1.136(a), and any additional fees required for consideration of this paper, including fees for the net addition of claims, are hereby authorized to be charged to our Deposit Account No. 080719. If any designated extension fees, or other designated fees, are not required or are in excess of the amount required, the Director is hereby authorized to credit any such overpayment to Deposit Account No. 080719.

Respectfully submitted,

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